

REMARK

Applicant respectfully requests reconsideration of this application as amended. Claims 1-2 have been cancelled, and claim 3 has been amended. No claims have been added. Therefore, claims 3-6 are present for examination.

For the sake of expediting issuance of other claims, the Applicant has cancelled claims 1-2 without acquiescence in the Examiner's reasons for rejections, and without prejudice. The Applicant reserves the right to pursue claims of breadth similar to that of rejected claims 1-2 in a continuation application. The Applicants also wish to thank the Examiner for the indicated allowable subject matter.

35 U.S.C. §103) Rejection

Fisher et al in view of Cooper.

The Examiner has rejected claims 1 and 2 under 35 U.S.C. §103(a) as being unpatentable over Fisher et al (U.S. Pat. No. 6,243,691) in view of Cooper ("Going, going, gone, Tradition gives way to technology, British Telecom World, March 1990).

Claims 1 and 2 have been cancelled. It is respectfully requested that the rejection be withdrawn.

Claim Objections

The Examiner objected to claim 3 as being dependent upon a rejected base claim, but indicated that it would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Since claim 3 has been rewritten to include the limitations of its base claim, it is believed that the objection to claim 3 has been overcome, and respectfully requested that the objection be withdrawn.

Conclusion

Applicant respectfully submits that the claims as amended are now in condition for allowance. Accordingly, Applicant respectfully requests the application now be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Request for an Extension of Time

The Applicant respectfully petitions for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17 for such an extension.

Charge our Deposit Account

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: January 23, 2003



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Presented below are all amended claims, showing additions in underlined text, and deletions in brackets.

1. (Cancelled)
2. (Cancelled)
3. (Once Amended) A method comprising:

prior to [the] a live, in-person auction, establishing a starting bid for [the]
an item in an online environment by performing a pre-auction
bidding process in the online environment for a predetermined
amount of time; [and]

communicating the starting bid for the item to the live, in-person auction;
updating bidding information associated with the item to reflect a current
bid associated with the item in the live, in-person auction;

accepting a bid from an online bidder in the online environment reflecting
the online bidder's maximum proxy price; and

bidding on behalf of the online bidder against one or more live bidders that
are participating in the live, in-person auction based upon the
maximum proxy price.